

1 Web anymore. The company -- mysteriously
2 disappeared from the company's Web site, which
3 makes me all the more suspicious that something is
4 fishy there. If it wasn't a problem, why did it
5 disappear? I leave that for what it is.

6 MR. HARNETT: All right. Thank you very
7 much.

8 MR. URBASZEWSKI: Thank you for letting me
9 have the time.

10 MR. HARNETT: Then the last speaker for this
11 session will be Maureen Headington of Stand Up and
12 Save Lives.

13 MS. HEADINGTON: I thank you for hearing me,
14 knowing especially that you've been working such a
15 long day.

16 I had attempted to be a sign-on. As it
17 turned out, I'm a walk-in, but I'm very grateful
18 that you're giving me this opportunity.

19 You've probably not heard of my
20 organization, Stand Up/Save Lives. I'm the only
21 person in it actually, but I'm a grass-root
22 activist and former veteran of the Chicago Public
23 Schools inner city for 20 years. My work in
24 environmental areas began with a move to the

1 suburbs of Chicago, and I was born and raised in
2 Chicago.

3 When I discovered that -- right after we
4 put in the English garden, a toxic waste
5 incinerator was being sited three miles from my
6 home and necessitated that I start doing research
7 on what ramifications that had for me and my
8 family. And my first -- my initial thought was,
9 and I didn't know anyone in environmental
10 sectors -- call someone in California, because
11 California is ahead of the game when it comes to
12 environmental laws.

13 And I called one person there who said,
14 "Mo, you have to stop it."

15 I said, "How do I do that?"

16 She said, "You'll just have to figure it
17 out." She said, "Try calling Greenpeace and see
18 if they can get you going."

19 And I didn't know what to do, accept
20 that I felt we had to stop this horrendous thing
21 from coming in. And I then hit the research. And
22 at that time I wasn't terribly computer-literate.
23 So especially if you don't have the availability
24 of a computer or the knowledge of how to use one,

1 I just started calling all over the place and
2 gathering data.

3 And actually my husband, who is a
4 healthcare attorney, ended up shutting down his
5 law practice on a Friday at noon, and we stayed in
6 and wrote for three solid days and footnoted
7 everything that we put into the letter that I sent
8 to my own community because I thought, "Where do
9 you start but with your own community."

10 I live in a community, Burr Ridge,
11 Illinois, in the western suburbs, 10,000 people,
12 and I made it my mission to send this letter to
13 every home and business in Burr Ridge and got the
14 3,600 postage stamps and stamped -- collated and
15 stamped and spent the money for the new garage
16 that I wanted on -- towards that, on this mailing.

17 And it threw me into this world of
18 environmental issues, where there is just so much
19 -- too much for a person to comprehend; certainly
20 someone who doesn't have the scientific
21 background. I do not have that. So I have
22 learned by the seat of my pants.

23 But what I was successful in was meeting
24 up with others who were similarly minded,

1 grass-root activists who felt that they had to try
2 to do something to save their communities, and it
3 prompted something.

4 If you're not from Illinois, you might
5 not have known of it, but the Illinois Retail Rate
6 Law was one of the things that is most egregious
7 when you talk about tax incentives to go to
8 polluters. Not only are we getting the poison,
9 but the taxpayers of Illinois were going to pay
10 for their own poison by giving -- if you're
11 willing to build an incinerator in Illinois, come
12 here, we'll give you 15 to \$20 million guaranteed
13 every year for the next 20 years.

14 The burner near my home was to be
15 burning railroad ties and utility poles brought in
16 from all over this countries, things soaked in
17 creosote 24/7, and we're paying for our own
18 poison.

19 So it led me down a path that -- I'm not
20 sure if I'm honored or not. I have met some of
21 the most incredibly wonderful people doing
22 environmental work. I leave the science to the
23 scientists and the lawyering to the lawyers.

24 I had the privilege of listening to

1 Keith Harley -- he's one of our best; Bruce
2 Nilles; I caught a bit of what Faith Bugel said;
3 and I hope that I'm not going to be reiterating
4 things that you've perhaps heard throughout the
5 day.

6 But I thought that as long as we're
7 ending with me, maybe I'll just give you some of
8 the ramblings of an environmental activist, some
9 of the frustrations. I'm not sure whether what
10 I'm saying is totally relevant to what you people
11 do in terms of Title V. Title V is something
12 pretty new to me, but in my most recent project
13 it's coming up, and I know it's something that it
14 is involved.

15 But I also want to mention some of these
16 things from the standpoint of perhaps bringing
17 your attention to things that may become Title V
18 issues or something to give you some fodder for
19 some thought.

20 By the way, we were successful. It was
21 written up in an East Coast paper that it was the
22 largest anti-incinerator campaign that this nation
23 had ever seen. And it was a matter of getting 73
24 Illinois legislators who were supporting this

1 legislation to back down and vote the right way.
2 And to my way of thinking there is only one thing
3 more important than the campaign contributions
4 that these people are getting.

5 And it seems that these problems, from
6 back when I did this seven or so years ago,
7 they're the same problems. It might be a
8 different venue, but it's the same problems that
9 keep surfacing. We're living in a world of
10 campaign contributions, and what does the public
11 have to have any kind of balance to what -- the
12 insanity that is going on here? The shoe has been
13 put on the other foot. Now we have to prove the
14 harm. The onus is taken off the industry to prove
15 that what they're doing is even safe.

16 So we get into these situations where
17 you're pitted against each other. And when logic
18 tells you that these things do not make sense,
19 that at a certain point the public is on overload
20 and the assault is too great, and we are losing
21 lives, more lives than we've lost in Afghanistan
22 and Iraq to date, and we're losing more lives in
23 Illinois every single year that our problems are
24 not addressed here, I think the latest data was

1 1,356 every year because of power plant pollution.

2 So certainly if we don't do something --
3 I'm not trying to give myself a pat on the back.
4 And probably when I stop doing this, hopefully
5 there are others that will pick it up. I'm not
6 sure why private citizens -- I had to quit my job
7 to fight the incinerators. I was not paid to do
8 it, and I spent my own dollars doing it, and I've
9 quit my job a second time on the project I'm
10 working on right now. I don't feel I should have
11 to do that.

12 And yet when I got the lay of the land,
13 my feelings -- and I'm sure that I represent much
14 of the public in this because I deal with the
15 public -- is that there is this false sense of
16 security that we are being taken care of by these
17 entities called Environmental Protection Agencies,
18 whether they're state or whether they're federal,
19 we're being protected. "Oh, well, we have an
20 EPA."

21 And it's been my experience that more
22 often than not the EPA is there to protect
23 industries' interests than the public's interest,
24 and that whether -- not that -- I've met some

1 wonderful people from both IEPA and federal, and
2 quite frankly, Illinois EPA, in my estimation, is
3 no great shakes, overall. I'm not citing any
4 individual, but in terms of what bang Illinois
5 taxpayers get for our buck, what protections we
6 get, they're very, very minimal.

7 And where I have my most fun is going to
8 campaign for political reform to see who got what
9 when, because the campaigning contributions, when
10 it came to utility dereg coming down in this
11 state, every single legislator was taken care of.
12 Now, how do you begin to fight this thing?

13 So from my perspective, the way you
14 fight it is to bring forward a public mandate,
15 much in the way it happened with the incinerators.
16 But it was very, very difficult, a very hard thing
17 to pull off. I know Verena was involved in some
18 of that, were you not, with the Retail Rate Law?

19 MS. OWEN: No, I was not.

20 MS. HEADINGTON: Oh, you were not. I'm
21 mistaken, then, in that.

22 But individual citizens having to rise
23 up when it should have been perhaps the IEPA, I
24 don't know if any of it fell on the bailiwick of

1 whatever kind of permits. Except that there is --
2 there are permits that allow people to pollute and
3 take advantage and accept campaign contributions
4 to turn their head and let public health take a
5 back seat to corporate greed. And that happens
6 again and again in Illinois.

7 I turn to the federal government because
8 to me they have always been the ones that are
9 there. No matter what happens here, we've got
10 that. And recently, with what is going on
11 politically -- and I have to be nonpartisan in my
12 work because I work with people on both sides
13 trying to create something for the better.

14 But what I'm seeing, whether it's new
15 source review or -- some of the things I get
16 through the grapevine just because I know so many
17 people that the folks from Region 5 who were
18 openly available to us in the past, there has been
19 a kind of lid put on their accessibility to
20 activists. They have to get permission, and it
21 has to be known what they're giving us, what
22 they're telling us, that they're talking with us.
23 Which I hear this, and it kind of gives me shivers
24 thinking that -- the direction that things are

1 going in.

2 I don't want to ramble here, but I want
3 to touch on just a few of the things that -- not
4 hearsay, but direct things that I've experienced
5 that you might think about.

6 With the incinerator law, one
7 incinerator got away from us. We killed a law
8 that -- the permits that the other 34 had already
9 gotten. We had good lawyers, and yet the permits
10 in Illinois were given out like candy. There were
11 some we felt like, "Oh, we've got them here";
12 never happened. They just kept giving and giving
13 and giving.

14 But because this public mandate grew so
15 huge, elected officials starting thinking, "Gee,
16 I'm not going to have a seat unless I vote right."
17 So we were able to turn that around.

18 But one incinerator got away. And I
19 can't tell you how many, through FOIA, how many
20 problems there were at that facility. One of the
21 explosions or fires necessitated 22 different
22 municipal fire departments to put it out.

23 I had residents -- because by this time
24 I was doing radio, I was doing some TV work, I

1 spoke before city councils and village boards, and
2 I'd get calls from strangers, "Can you help me? I
3 just got off the phone with Illinois EPA
4 complaining about the smells and the soot and the
5 things that -- in my community near to Robbins,
6 and they told me, 'It's a new facility. Give us a
7 year. If it's not better, call us back.'"

8 What do you tell people who have
9 children, who live and breathe in these areas?
10 Give industry an opportunity to get it right?

11 There were so many exceedances at that
12 place it was a joke. It finally shut down.

13 But what's taken my attention up now is
14 I am working on the coal plant issue. I have been
15 for the last six years, and my work landed me on
16 the board of the Illinois Environmental Council.
17 I served on that board as a director for six
18 years, as their vice president for three before I
19 left them a couple years ago.

20 But I wasn't funded to do the clean air
21 work. I did it out of my own pocketbook. I
22 decided I don't have to be on IEC in order to do
23 this. So I've been doing a campaign of public
24 education and going town to town, village to

1 village, county boards, doing presentations,
2 updating people on the need for getting something
3 done on these old coal-fired power plants. And
4 I'm happy to say that I got my 101st resolution
5 representing over 8 million people in the state of
6 Illinois, metro Chicago, who are mandating an end
7 to the grandfathering of these power plants.

8 There was a law passed back in spring of
9 2001. Industry wrote the law. We were told that
10 by the governor. When the governor, former
11 Governor Ryan, held a clean air summit in Decatur,
12 I went down there for the overnight to be prepared
13 so that I'd get my three minutes or so to speak.
14 It was a fascinating day. The environmentalists
15 were outnumbered 10 to 1 by industry; there were 5
16 of us, 50 of them. When I asked why I didn't see
17 anyone with an M.D. after his name for a clean air
18 summit, because it seems that the bastion of clean
19 air -- of anything health should be doctors, the
20 Illinois EPA responded, "Well, we tried to get a
21 neutral doctor, and we couldn't find one."

22 I mean, so when you respond to someone
23 from the public, even though I'm not a scientist,
24 what does that tell you about this kind of a --

1 what you're going into?

2 When I relate this before everyone at
3 this hearing or summit, I was told by an industry
4 person outright, "Well, we could have gotten a
5 doctor to say anything we would have wanted him
6 to."

7 So I think we're up against an awful
8 lot, and I'm just going to kind of, in the minute
9 or two I have left, tell you I have concerns about
10 the TRI index.

11 I think that self-reporting is highly
12 suspicious. I saw something in the AP wire
13 stating that in actuality what we're getting in
14 the way of pollution is probably two to three
15 times or more what is being reported.

16 I don't know if anybody talked about the
17 FOIA'ed information on these coal plants that had
18 been done on the ones owned by Midwest Gen, but
19 they might have, listening to some of the comments
20 here. But Title V permit applications, including
21 compliance certification and draft permits, did
22 not include schedules to remedy noncompliance.

23 For an 18-month period, from January '02
24 to June '03, there were 4,311 exceedances of the

1 grandfathered relaxed federal Clean Air Act that
2 these power plants have to live by. And so the
3 company responded, well, a certain number of these
4 were on start-up and malfunction. That still left
5 over 2,000 that weren't.

6 So we are being inundated. We need
7 help. I'm not sure where the help is going to
8 come from, if it's going to come from Title V
9 people. I don't care where it comes from. I'm
10 hoping it comes from some of you, because
11 Illinois, as one of our attorney -- when I went to
12 Washington, D.C. -- and I don't mean this as an
13 affront to the gentleman from North Carolina, but
14 I made an appointment with a wonderful
15 environmental attorney looking for help outside
16 this state. I walked in the door, and his words
17 to me were, "Mo Headington of Illinois. Illinois
18 EPA, worst in the nation." He said, "Wait a
19 minute. I take it back. North Carolina beats you
20 by a hair." That was about six years ago. I
21 don't know if it's still true.

22 If anyone is interested in any of my
23 further meanderings, feel free to give me a call.
24 I do have a card.

1 Any questions?

2 MR. HARNETT: Thank you very much for coming.

3 MS. HEADINGTON: Thank you.

4 MR. HARNETT: We will be breaking now for
5 dinner to return for the evening session at 7:15.
6 We will try and start right on time.

7 I do want to thank the court reporter
8 for being willing to extend her time and stay here
9 later so we could accommodate the many extra
10 people, trying to keep up with all of the acronyms
11 and words we've gone through all day. So thank
12 you very much.

13 And thanks also for the staff hanging
14 around for that. So see you at 7:15.

15 (Dinner recess.)

16

17

18

19

20

21

22

23

24